

Message Text

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PAGE 01 STATE 076917

43

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FM SECSTATE WASHDC

TO AMEMBASSY MANILA

C O N F I D E N T I A L STATE 076917

E. O. 11652, GDS

TAGS: PFOR, RP

SUBJ: US/ PHILIPPINE EXTRADITION TREATY

REF: MANILA 4511

1. IN VIEW CONTINUING UNCERTAINTIES OF SCHEDULING AND RECENT DEVELOPMENT AT DEPARTMENT, IT NOW DEPARTMENT'S PREFERENCE THAT NEGOTIATIONS BE SCHEDULED FOR WEEK OF MAY 21-25, THE INALTERABLY LAST POSSIBLE TIME SPAN BEFORE 1974 FOR NEGOTIATIONS PRIOR TO IMPENDING REASSIGNMENT ABROAD OF AVAILABLE EXPERIENCED NEGOTIATOR IN EXTRADITION. IF PROPOSAL MADE TO GOP NOW FOR WEEK OF MAY 21-25, STRONGLY HOPE THAT ONE- MONTH LEAD- TIME WILL PERMIT MUTUAL AGREEMENT ON DEFINITE SCHEDULING SOONEST.

2. EMBASSY SHOULD BE AWARE THAT EVEN WITH COUNTRIES WITH WHICH U. S. HAS HAD PREVIOUS EXTRADITION TREATY, AND THAT HAVE LONG- STANDING EXTRADITION LAWS AND PROCEDURES AND EXPERIENCE THIS AREA, FIRST ROUNDS OF NEGOTIATIONS HAVE
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PAGE 02 STATE 076917

GENERALLY REQUIRED MORE THAN ONE WEEK. IT THUS DOUBTFUL THAT FULL DISCUSSION OF BASIC CONCEPTS INVOLVED IN EXTRADITION PROCESS, GOP INTENTIONS ON PHILIPPINE INTERNAL LAW AND PROCEDURES, AND ALL TREATY LANGUAGE EXCEPT RETRO-ACITIVITY CAN BE ADEQUATELY DISCUSSED IN ONLY ONE NORMAL WORKING WEEK. THEREFORE SUGGEST THAT MAY 26 BE KEPT OPEN AS POSSIBLE LAST DAY OF FIRST SESSION; SUGGEST SESSION COMMENCE P. M. OF MAY 21 TO PERMIT SOME CONSULTATION BETWEEN U. S. DEL MEMBERS FROM WASHINGTON AND U. S. ELEMENT OF STUDY GROUP PRIOR TO COMMENCEMENT NEGOTIATIONS.

3. SUGGEST ABOVE BE PROPOSED TO GOP SOONEST, WITH EMPHASIS THAT NO FURTHER POSTPONEMENT OR LATER DATE BEFORE 1974 POSSIBLE. ROGERS

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